

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Noritsugu Yamasaki et al.      Art Unit : Unknown  
Serial No. : 09/869,101      Examiner : Unknown  
Filed : June 22, 2001  
Title : BENZIMIDAZOLE DERIVATIVES

Commissioner for Patents  
Washington, D.C. 20231

DECLARATION UNDER 37 CFR 1.42 BY LEGAL REPRESENTATIVES OF DECEASED  
INVENTOR, TERUO OKU

Noriko Oku, Chikako Oku and Tomohito Oku make this Declaration jointly as legal representatives for Teruo Oku (Deceased), a co-inventor for the above-captioned U.S. patent application. A copy of the Combined Declaration and Power of Attorney signed by the co-inventors of Teruo Oku is attached and made a part of this Declaration.

The particulars of Teruo Oku (Deceased) are as follows:

Name: TERUO OKU (Deceased)  
Residence: 2-4-1-504, Tenjin-machi, Takatsuki-shi  
Osaka 569-1117  
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Citizen of: Japan  
Post Office Address: 2-4-1-504, Tenjin-machi, Takatsuki-shi  
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JAPAN

The particulars of each legal representative for Teruo Oku (Deceased) are as follows:

Name: NORIKO OKU  
Residence: 2-4-1-504, Tenjin-machi, Takatsuki-shi  
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JAPAN

2002年 8月27日 13時15分

SHIMIZU PATENT OFFICE

NO. 7642

P. 3

003

Applicant : Noritsugu Yamasaki et al.  
Serial No. : 09/869,101  
Filed : June 22, 2001  
Page : 2

Attorney's Docket No : 06501-082001 / D1-006PCT-  
US

Name: CHIKAKO OKU  
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Name: TOMOHIITO OKU  
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Citizen of: Japan  
Post Office Address: 2-4-1-504, Tenjin-machi, Takatsuki-shi  
Osaka 569-1117  
JAPAN

Each of us further declares, for ourselves and as legal representatives of Teruo Oku  
(Deceased) that:

Our residence address, post office address and citizenship are as stated above.

We believe that Teruo Oku (Deceased) is an original, first and joint inventor of the  
subject matter which is claimed and for which a patent is sought on the invention entitled:  
BENZIMIDAZOLE DERIVATIVES

the specification of which was filed on June 22, 2001, as Application Serial No. 09/869,101.

I hereby state that I have reviewed and understand the contents of the above-identified  
specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information that is material to the examination of this  
application in accordance with 37 CFR §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any  
application(s) designating at least one country other than the United States of America listed  
below and have also identified below any foreign application for patent or inventor's certificate  
or any PCT international application(s) designating at least one country other than the United

2002年 8月27日 13時16分

SHIMIZU PATENT OFFICE

NO. 7642 P. 4

Applicant : Noritsugu Yamasaki et al.  
 Serial No. : 09/869,101  
 Filed : June 22, 2001  
 Page : 3

Attorney's Docket No. 06501-082001 / D1-006PCT-  
 US

States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

| Country | Application No. | Filing Date       | Priority Claimed |
|---------|-----------------|-------------------|------------------|
| PCT     | PCT/JP99/07222  | December 22, 1999 | [X] Yes [ ] No   |
| Japan   | 10/366870       | December 24, 1998 | [X] Yes [ ] No   |

I hereby confirm appointment of the following attorneys and/or agents to prosecute this patent application and to transact all business in the Patent and Trademark Office connected therewith:

Janis K. Fraser, Ph.D., J.D., Reg. No. 34,819  
 J. Peter Fasse, Reg. No. 32,983  
 John W. Freeman, Reg. No. 29,066  
 Timothy A. French, Reg. No. 30,175  
 Anita L. Meiklejohn, Reg. No. 35,283  
 Jeffrey D. Hsi, Reg. No. 40,024

I hereby declare that all statement made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: July 14, 2002

Noriko Oku  
 NORIKO OKU

Date: July 14, 2002

Chikako Oku  
 CHIKAKO OKU

Date: July 14, 2002

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